

### **House of Representatives**

General Assembly

File No. 317

January Session, 2009

Substitute House Bill No. 6399

House of Representatives, March 30, 2009

The Committee on Human Services reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

#### AN ACT CONCERNING CHILD PROTECTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Subsection (b) of section 46b-129 of the general statutes is
- 2 repealed and the following is substituted in lieu thereof (Effective
- 3 October 1, 2009):
- 4 (b) If it appears from the specific allegations of the petition and
- other verified affirmations of fact accompanying the petition and
- 6 application, or subsequent thereto, that there is reasonable cause to
- 7 believe that (1) the child or youth is suffering from serious physical
- 8 illness or serious physical injury or is in immediate physical danger
- 9 from the child's or youth's surroundings, and (2) that as a result of said
- 10 conditions, the child's or youth's safety is endangered and immediate
- 11 removal from such surroundings is necessary to ensure the child's or
- 12 youth's safety, the court shall either (A) issue an order to the parents or
- other person having responsibility for the care of the child or youth to
- 14 appear at such time as the court may designate to determine whether
- 15 the court should vest in some suitable agency or person the child's or

youth's temporary care and custody pending disposition of the petition, or (B) issue an order ex parte vesting in some suitable agency or person the child's or youth's temporary care and custody. A preliminary hearing on any ex parte custody order or order to appear issued by the court shall be held not later than ten days after the issuance of such order. The service of such orders may be made by any officer authorized by law to serve process, or by any probation officer appointed in accordance with section 46b-123, investigator from the Department of Administrative Services, state or local police officer or indifferent person. Such orders shall include a conspicuous notice to the respondent written in clear and simple language containing at least the following information: (i) That the order contains allegations that conditions in the home have endangered the safety and welfare of the child or youth; (ii) that a hearing will be held on the date on the form; (iii) that the hearing is the opportunity to present the parents' position concerning the alleged facts; (iv) that an attorney will be appointed for parents who cannot afford an attorney; (v) that such parents may apply for a court-appointed attorney by going in person to the court address on the form and are advised to go as soon as possible in order for the attorney to prepare for the hearing; and (vi) if such parents have any questions concerning the case or appointment of counsel, any such parent is advised to go to the court or call the clerk's office at the court as soon as possible. Upon application for appointed counsel, the court shall promptly determine eligibility and, if the respondent is eligible, promptly appoint counsel. The expense for any temporary care and custody shall be paid by the town in which such child or youth is at the time residing, and such town shall be reimbursed for such expense by the town found liable for the child's or youth's support, except that where a state agency has filed a petition pursuant to the provisions of subsection (a) of this section, the agency shall pay such expense. The agency shall give primary consideration to placing the child or youth in the town where such child or youth resides. The agency shall file in writing with the clerk of the court the reasons for placing the child or youth in a particular placement outside the town where the child or youth resides. Upon issuance of an ex parte order,

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45 46

47

48

49

the court shall provide to the commissioner and the parent or guardian specific steps necessary for each to take to address the ex parte order for the parent or guardian to retain or regain custody of the child or youth and, if custody is vested in the Department of Children and Families, authorize the commissioner or the commissioner's designee to provide the child with all necessary care, including medical care, which may include an examination by a physician or mental health professional with or without the consent of the child's parent, guardian or other person responsible for the child's care. Upon the issuance of such order, or not later than sixty days after the issuance of such order, the court shall make a determination whether the Department of Children and Families made reasonable efforts to keep the child or youth with his or her parents or guardian prior to the issuance of such order and, if such efforts were not made, whether such reasonable efforts were not possible, taking into consideration the child's or youth's best interests, including the child's or youth's health and safety.

- Sec. 2. Subsection (j) of section 46b-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):
  - (j) Upon finding and adjudging that any child or youth is uncaredfor, neglected or dependent, the court may commit such child or youth
    to the Commissioner of Children and Families. Such commitment shall
    remain in effect until further order of the court, except that such
    commitment may be revoked or parental rights terminated at any time
    by the court, or the court may vest such child's or youth's care and
    personal custody in any private or public agency that is permitted by
    law to care for neglected, uncared-for or dependent children or youths
    or with any person or persons found to be suitable and worthy of such
    responsibility by the court. The court shall order specific steps that the
    parent must take to facilitate the return of the child or youth to the
    custody of such parent. The commissioner shall be the guardian of
    such child or youth for the duration of the commitment, provided the
    child or youth [has not reached] is under the age of eighteen years [or,
    in the case of a child or youth in full-time attendance in a secondary

school, a technical school, a college or a state-accredited job training program, provided such child or youth has not reached the age of twenty-one years, by consent of such youth,] or until another guardian has been legally appointed, and in like manner, upon such vesting of the care of such child or youth, such other public or private agency or individual shall be the guardian of such child or youth until such child or youth has reached the age of eighteen years [or, in the case of a child or youth in full-time attendance in a secondary school, a technical school, a college or a state-accredited job training program, until such child or youth has reached the age of twenty-one years] or until another guardian has been legally appointed. Any youth age eighteen to twenty-one, inclusive, who is in full-time attendance in a secondary school, a technical school, a college or a state-accredited job training program may continue to remain voluntarily under the supervision of the commissioner, pursuant to section 17a-11. The commissioner may place any child or youth so committed to the commissioner in a suitable foster home or in the home of a person related by blood to such child or youth or in a licensed child-caring institution or in the care and custody of any accredited, licensed or approved child-caring agency, within or without the state, provided a child shall not be placed outside the state except for good cause and unless the parents or guardian of such child are notified in advance of such placement and given an opportunity to be heard, or in a receiving home maintained and operated by the Commissioner of Children and Families. In placing such child or youth, the commissioner shall, if possible, select a home, agency, institution or person of like religious faith to that of a parent of such child or youth, if such faith is known or may be ascertained by reasonable inquiry, provided such home conforms to the standards of said commissioner and the commissioner shall, when placing siblings, if possible, place such children together. As an alternative to commitment, the court may place the child or youth in the custody of the parent or guardian with protective supervision by the Commissioner of Children and Families subject to conditions established by the court. Upon the issuance of an order committing the child or youth to the Commissioner of Children and

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107108

109

110

111

112

113

114

115

116

117

118

Families, or not later than sixty days after the issuance of such order, the court shall determine whether the Department of Children and Families made reasonable efforts to keep the child or youth with his or her parents or guardian prior to the issuance of such order and, if such efforts were not made, whether such reasonable efforts were not possible, taking into consideration the child's or youth's best interests, including the child's or youth's health and safety.

- Sec. 3. Subdivision (1) of subsection (k) of section 46b-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):
- (k) (1) Nine months after placement of the child or youth in the care and custody of the commissioner pursuant to a voluntary placement agreement, or removal of a child or youth pursuant to section 17a-101g or an order issued by a court of competent jurisdiction, whichever is earlier, the commissioner shall file a motion for review of a permanency plan. Nine months after a permanency plan has been approved by the court pursuant to this subsection, the commissioner shall file a motion for review of the permanency plan. Any party seeking to oppose the commissioner's permanency plan shall file a motion in opposition not later than thirty days after the filing of the commissioner's motion for review of the permanency plan, which motion shall include the reason therefor. A permanency hearing on any motion for review of the permanency plan shall be held not later than ninety days after the filing of such motion. The court shall hold evidentiary hearings in connection with any contested motion for review of the permanency plan. The commissioner shall have the burden of proving that the proposed permanency plan is in the best interests of the child or youth. After the initial permanency hearing, subsequent permanency hearings shall be held not less frequently than every twelve months while the child or youth remains in the custody of the Commissioner of Children and Families. The court shall provide notice to the child or youth, and the parent or guardian of such child or youth of the time and place of the court hearing on any such motion not less than fourteen days prior to such hearing. In addition to the

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

review required by this subdivision, if (A) a child is under the age of six years and in the care and custody of the commissioner, and (B) the permanency plan for such child is reunification with the parent, the court shall review, not later than six months after each permanency hearing, the parent's progress in regaining custody of such child and may revise the specific steps in such permanency plan for the parent and the commissioner.

- Sec. 4. Subsection (f) of section 17a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):
  - (f) The commissioner or the commissioner's designee shall, upon request, promptly provide copies of records, without the consent of a person, to (1) a law enforcement agency, (2) the Chief State's Attorney, or the Chief State's Attorney's designee, or a state's attorney for the judicial district in which the child resides or in which the alleged abuse or neglect occurred, or the state's attorney's designee, for purposes of investigating or prosecuting an allegation of child abuse or neglect, (3) the attorney appointed to represent a child in any court in litigation affecting the best interests of the child, (4) a guardian ad litem appointed to represent a child in any court in litigation affecting the best interests of the child, (5) the Department of Public Health, which licenses any person to care for children for the purposes of determining suitability of such person for licensure, subject to the provisions of sections 17a-101g and 17a-101k, (6) any state agency which licenses such person to educate or care for children pursuant to section 10-145b or 17a-101j, subject to the provisions of sections 17a-101g and 17a-101k concerning nondisclosure of findings of responsibility for abuse and neglect, (7) the Governor, when requested in writing, in the course of the Governor's official functions or the Legislative Program Review and Investigations Committee, the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary and the select committee of the General Assembly having cognizance of matters relating to children when requested in the course of said committees' official functions in

164

165

166

167

168169

170

171

172

173

174

175

176

177

178

179

180

181182

183

184

185

186

188 writing, and upon a majority vote of said committee, provided no 189 names or other identifying information shall be disclosed unless it is 190 essential to the legislative or gubernatorial purpose, (8) a local or 191 regional board of education, provided the records are limited to 192 educational records created or obtained by the state or Connecticut-193 Unified School District #2, established pursuant to section 17a-37, (9) a 194 party, a judge or personnel in the Court Support Services Division of 195 the Judicial Department in a custody proceeding under section 17a-196 112, as amended by this act, or 46b-129, as amended by this act, in the 197 Superior Court where such records concern a child who is the subject 198 of the proceeding or the parent of such child, (10) the Chief Child 199 Protection Attorney, or his or her designee, for purposes of ensuring 200 competent representation by the attorneys whom the Chief Child 201 Protection Attorney contracts with to provide legal and guardian ad 202 litem services to the subjects of such records and to ensure accurate 203 payments for services rendered by such contract attorneys, and (11) 204 the Department of Motor Vehicles, for purposes of checking the state's 205 child abuse and neglect registry pursuant to subsection (e) of section 206 14-44. A disclosure under this section shall be made of any part of a 207 record, whether or not created by the department, provided no 208 confidential record of the Superior Court shall be disclosed other than 209 the petition and any affidavits filed therewith in the superior court for 210 juvenile matters, except upon an order of a judge of the Superior Court 211 for good cause shown. The commissioner shall also disclose the name 212 of any individual who cooperates with an investigation of a report of 213 child abuse or neglect to such law enforcement agency or state's 214 attorney for purposes of investigating or prosecuting an allegation of 215 child abuse or neglect. The commissioner or the commissioner's 216 designee shall, upon request, subject to the provisions of sections 17a-217 101g and 17a-101k, promptly provide copies of records, without the 218 consent of the person, to (A) the Department of Public Health for the 219 purpose of determining the suitability of a person to care for children 220 in a facility licensed under sections 19a-77 to 19a-80, inclusive, 19a-82 221 to 19a-87, inclusive, and 19a-87b, and (B) the Department of Social 222 Services for determining the suitability of a person for any payment

223 from the department for providing child care.

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

Sec. 5. (NEW) (*Effective October 1, 2009*) A substance abuse treatment provider, upon service of a subpoena issued by a competent authority regarding a child committed to the care and custody of the Commissioner of Children and Families directing the production of records in connection with any court proceedings, shall deliver such original record or a copy of the record to the clerk of the court. The clerk shall give the provider a receipt for delivery of the record, shall be responsible for the safekeeping of the record and shall not permit the record to be removed from the court. The court clerk shall notify the provider that the record may be returned to the provider when no longer needed by the court. Any such record delivered by the provider to the court clerk shall be placed in a sealed envelope that indicates the name of the child, the name of the attorney subpoenaing the record and the case name referred to in the subpoena. No such record shall be open to inspection by any person except upon the order of a judge of the court concerned, and any such record shall at all times be subject to the order of such judge. The record, or any part of the record, if not otherwise inadmissible, shall be admitted in evidence without any preliminary testimony if there is, attached to the record, a certification in affidavit form of the person in charge of keeping the provider's records stating that the record is the original record or a copy of the record, made in the regular course of the business of the provider, and that it was the regular course of such business to make such record at the time of the transactions, occurrences or events recorded therein or within a reasonable time thereafter.

- Sec. 6. Subsection (j) of section 17a-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):
- (j) The Superior Court, upon notice and hearing as provided in sections 45a-716 and 45a-717, may grant a petition filed pursuant to this section if it finds by clear and convincing evidence that (1) the Department of Children and Families has made reasonable efforts to

locate the parent and to reunify the child with the parent in accordance with subsection (a) of section 17a-111b, unless the court finds in this proceeding that the parent is unable or unwilling to benefit from reunification efforts, except that such finding is not required if the court has determined at a hearing pursuant to section 17a-111b, or determines at trial on the petition, that such efforts are not required, (2) termination is in the best interest of the child, and (3) (A) the child has been abandoned by the parent in the sense that the parent has failed to maintain a reasonable degree of interest, concern or responsibility as to the welfare of the child; (B) the child (i) has been found by the Superior Court or the Probate Court to have been neglected or uncared for in a prior proceeding, or (ii) is found to be neglected or uncared for and has been in the custody of the commissioner for at least fifteen months and the parent of such child has been provided specific steps to take to facilitate the return of the child to the parent pursuant to section 46b-129, as amended by this act, and has failed to achieve such degree of personal rehabilitation as would encourage the belief that within a reasonable time, considering the age and needs of the child, such parent could assume a responsible position in the life of the child; (C) the child has been denied, by reason of an act or acts of parental commission or omission including, but not limited to, sexual molestation or exploitation, severe physical abuse or a pattern of abuse, the care, guidance or control necessary for the child's physical, educational, moral or emotional well-being, except that nonaccidental or inadequately explained serious physical injury to a child shall constitute prima facie evidence of acts of parental commission or omission sufficient for the termination of parental rights; (D) there is no ongoing parent-child relationship, which means the relationship that ordinarily develops as a result of a parent having met on a day-today basis the physical, emotional, moral and educational needs of the child and to allow further time for the establishment reestablishment of such parent-child relationship would detrimental to the best interest of the child; (E) the parent of a child under the age of seven years who is neglected or uncared for, has failed, is unable or is unwilling to achieve such degree of personal

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

rehabilitation as would encourage the belief that within a reasonable period of time, considering the age and needs of the child, such parent could assume a responsible position in the life of the child and such parent's parental rights of another child were previously terminated pursuant to a petition filed by the Commissioner of Children and Families; (F) the parent has killed through deliberate, nonaccidental act another child of the parent or a child in the custody of such parent or has requested, commanded, importuned, attempted, conspired or solicited such killing or has committed an assault, through deliberate, nonaccidental act that resulted in serious bodily injury of another child of the parent or a child in the custody of such parent; or (G) the parent was convicted as an adult or a delinquent by a court of competent jurisdiction of a sexual assault resulting in the conception of the child, except a conviction for a violation of section 53a-71 or 53a-73a, provided the court may terminate such parent's parental rights to such child at any time after such conviction.

- Sec. 7. Section 54-86*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):
- (a) Notwithstanding any other rule of evidence or provision of law, a statement by a child under thirteen years of age relating to a sexual offense committed against that child, or an offense involving physical abuse committed against that child by a person or persons who had authority or apparent authority over the child, shall be admissible in a criminal or juvenile delinquency proceeding if: (1) The court finds, in a hearing conducted outside the presence of the jury, if any, that the circumstances of the statement, including its timing and content, provide particularized guarantees of its trustworthiness, (2) the statement was not made in preparation for a legal proceeding, (3) the proponent of the statement makes known to the adverse party an intention to offer the statement and the particulars of the statement including the content of the statement, the approximate time, date and location of the statement, the person to whom the statement was made and the circumstances surrounding the statement that indicate its trustworthiness, at such time as to provide the adverse party with a

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

fair opportunity to prepare to meet it, and (4) either (A) the child testifies and is subject to cross-examination at the proceeding, or (B) the child is unavailable as a witness and (i) there is independent nontestimonial corroborative evidence of the alleged act, and (ii) the statement was made prior to the defendant's arrest or institution of juvenile proceedings in connection with the act described in the statement.

(b) Nothing in this section shall be construed to (1) prevent the admission of any statement under another hearsay exception, (2) allow broader definitions in other hearsay exceptions for statements made by children under thirteen years of age at the time of the statement concerning any alleged act described in subsection (a) of this section than is done for other declarants, or (3) allow the admission pursuant to the residual hearsay exception of a statement described in subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	46b-129(b)
Sec. 2	October 1, 2009	46b-129(j)
Sec. 3	October 1, 2009	46b-129(k)(1)
Sec. 4	<i>October 1, 2009</i>	17a-28(f)
Sec. 5	<i>October 1, 2009</i>	New section
Sec. 6	<i>October 1, 2009</i>	17a-112(j)
Sec. 7	October 1, 2009	54-86 <i>l</i>

#### Statement of Legislative Commissioners:

In section 6(f), the new language at the end of the subsection is repeated in the first clause of the subsection for clarity.

#### **HS** Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

#### **OFA Fiscal Note**

**State Impact:** None

Municipal Impact: None

#### Explanation

The Department of Children and Families, the Judicial Department and the Office of the Attorney General will experience a workload increase to ensure that court reviews of cases involving certain children under age six are conducted within six months after each permanency hearing. It is anticipated that the workload increase can be accommodated within each agency's normally budgeted resources.

Enactment of other provisions within the bill will result in no fiscal impact.

#### The Out Years

**State Impact:** None

**Municipal Impact:** None

Sources: 2/24/09 Public Hearing Testimony.

# OLR Bill Analysis sHB 6399

#### AN ACT CONCERNING CHILD PROTECTION.

#### **SUMMARY:**

This bill makes several unrelated changes in the laws governing children under the care or custody of the Department of Children and Families (DCF). Specifically, the bill:

- 1. allows the court to terminate a parent's parental rights when another child in the parent's custody, who is not biologically related to the parent, is harmed or killed;
- 2. requires the court to review more frequently certain permanency plans for children under the age of six;
- expands the circumstances under which DCF must disclose records without the consent of the persons named in them, and requires substance abuse treatment providers to turn over certain records;
- 4. requires the court, when it has granted DCF temporary custody of a child who may have been abused or neglected, to permit DCF to provide medical care to the child;
- 5. specifies that certain evidence provided by children under the age of 13 is admissible only in juvenile delinquency proceedings, not all juvenile proceedings; and
- 6. makes it clear that the age when DCF guardianship ends is 18, but that young adults can continue to receive services from the department if they are pursuing education or training after they reach that age.

EFFECTIVE DATE: October 1, 2009

## TERMINATING PARENTAL RIGHTS WHEN UNRELATED CHILDREN HARMED

By law, the court can terminate parental rights if it finds, by clear and convincing evidence, that (1) in certain situations, DCF has made reasonable efforts to locate the parent and to reunify that parent with the child; (2) it is in the child's best interest, and (3) any of several enumerated harms have come to the child.

Currently, if the parent, through a deliberate, nonaccidental act, has killed another child of the parent or has requested, commanded, importuned, attempted, conspired, or solicited the killing, or has committed a nonaccidental assault that results in the other child's bodily injury, the court can terminate parental rights. The bill also allows termination if the other child in the parent's custody is not biologically related to the parent.

#### **PERMANENCY PLAN REVIEWS**

By law, the DCF commissioner must file a motion for review of a permanency plan for any children in her care or custody as a result of voluntary placement, removal, or court orders. It sets up various timetables for the parties to review these plans and for related hearings.

When the permanency plan is for reunification with the parent and the child is under age six, the bill requires the court, within six months of each permanency hearing, to review the parent's progress in regaining custody. And it allows the court to revise the specific steps in the permanency plan for the parent and DCF commissioner.

The law, unchanged by the bill, gives the commissioner nine months from the time a child or youth is placed to file a motion for the court to review the permanency plan. (There is no deadline for the court to approve the plan.) Once the court approves the plan, the law requires the commissioner to file another motion for review within nine months. A hearing must be held within 90 days of the filing. After

the initial hearing, subsequent hearings must be held at least once every 12 months.

#### DISCLOSURE OF RECORDS WITHOUT CONSENT

The law requires the commissioner to provide copies of records, without the consent of the person named in the record, in a number of situations. Currently, this includes records provided to a party in a custody proceeding related to terminating parent's rights where the records concern a child who is the subject of the proceeding, or his or her parent. In addition to parties to the proceeding, the bill requires disclosure to a judge or personnel in the Court Support Division of the Judicial Department.

#### SUBSTANCE ABUSE RECORDS

The bill requires a substance abuse treatment provider, if subpoenaed, to provide to the court clerk either an original record or a copy of records in connection with any court proceedings, provided the subpoena (1) is issued by a competent authority regarding a child committed to DCF care and custody and (2) specifically directs the provider to produce them.

The clerk (1) must give the provider a receipt, (2) is responsible for keeping the record safe and (3) may not allow it to be removed from the court. He or she must notify the provider that the record may be returned once the court no longer needs it. The record must be placed in a sealed envelope that indicates the names of the child, attorney, and case to which the subpoena refers.

These records are not open to inspection unless a judge of such court orders it. They are at all times subject to the judge's order.

The record, or any part of it, if not otherwise inadmissible, must be admitted in evidence without any preliminary testimony if a certification in affidavit form from the person in charge of the provider's records is attached to it that states that it is the original or a copy, made in the regular course of the provider's business, and that it was the regular course of business to make the record at the time of the

transactions, occurrences, or events recorded in them within a reasonable amount of time thereafter.

#### MEDICAL CARE WHEN CHILD IN TEMPORARY DCF CUSTODY

The bill requires the Superior Court, when it has issued an ex parte order granting temporary custody to DCF for children or youth whom the court has reasonable cause to believe have been abused or neglected, to permit the DCF commissioner or her designee, to provide the child with all necessary care, including medical care. This care can include a physical or mental health exam by a physician or mental health professional, regardless of whether the child's parent, guardian, or other person responsible for the child's care consents.

## HEARSAY EVIDENCE IN JUVENILE DELINQUENCY PROCEEDINGS

Currently, a statement of a child under age 13 relating to a sexual offense or physical abuse committed against him or her by anyone who had authority, or apparent authority, over him or her, must be admissible in a criminal or juvenile proceeding, provided certain conditions are met. The bill specifies that this applies in juvenile delinquency proceedings only, not in any juvenile proceeding.

#### **VOLUNTARY SERVICES FOR YOUTH AGE 18-21**

By law, DCF (or someone legally appointed by DCF) is the legal guardian of a child or youth for the entirety of the period for which a court has committed him or her, until his or her 18<sup>th</sup> birthday. Current law appears to continue legal guardianship until the "youth's" 21<sup>st</sup> birthday if he or she is attending secondary school, technical school, college, or a state-accredited job training program.

In practice, commitments end on the child's 18th birthday, but the young adult can continue to get DCF services through the agency's voluntary services program until his or her 21st birthday if he or she is engaged in one of these education or training activities.

The bill instead allows any "youth" between the ages of 18 and 22 who is engaged in these activities to remain under the DCF

commissioner's supervision through DCF's voluntary services program. (This section of DCF law defines a youth as a 16- or 17-year-old.)

#### **COMMITTEE ACTION**

**Human Services Committee** 

Joint Favorable Substitute Yea 18 Nay 0 (03/12/2009)